



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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PUBLIC WORKSHOP

PUBLIC WORKSHOP ON PROPOSED BEST MANAGEMENT PRACTICES FOR SITE-SPECIFIC NON-WATER RELEASE CORRECTIVE ACTION PLANS

October 11, 2010

1:00 p.m.

Cal/EPA Building

Coastal Hearing Room, 2nd Floor

1001 I Street

Sacramento, California 95814

The Department of Resources Recycling and Recovery (CalRecycle) will be holding a public workshop to discuss the Proposed Best Management Practices for Site-Specific Non-water Release Corrective Action Plans (BMPs). The regulations allow the landfill owner or operator to use the costs based on the non-water release site-specific corrective action plan (CA Plan) to determine the costs for the non-water release corrective action in lieu of using the costs for replacement of the final cover.

CalRecycle staff has prepared BMPs to assist owners and operators in preparing the CA Plan and to assist local enforcement agencies in the review of the CA Plan. The BMPs do not change the required minimum standards for the siting, design, and operation of a landfill or provide recommendations on the methods for the determination of potential damage, required corrective action activities, and associated costs. It is expected that standard practices and methods will continue to be used to determine the potential damage, the required corrective action activities, and associated costs. The BMPs also do not address potential releases to groundwater or surface water resulting from a causal event. These releases should be part of the water release corrective action plan which is under the jurisdiction of the Regional Water Quality Control Boards.

The CA Plan is required to provide an assessment of the impacts due to causal events and the associated costs to remediate any impacts. The proposed BMPs define or characterize each causal event to be evaluated for potential damages to a landfill due to the causal event in the CA Plan. Also addressed is the requirement for containment and environmental monitoring and control systems to be maintained to standards, known releases, the requirement to use a third party to develop the plans, and frequently asked questions.

General Scope and Applicability of BMPs

Best management practices (BMPs) are practical and effective processes, practices, or techniques to achieve a desired outcome. They are offered as "good ideas" that may need to be adjusted to account for individual needs or site-specific circumstances. BMPs are **not** rules, regulations, or mandatory standards.

Technical Advisory Group

A technical advisory group (TAG) was established to assist CalRecycle staff in the development of the proposed BMPs by providing comments, recommendations, and technical analysis and information. The TAG is comprised of stakeholder groups including local enforcement agency, environmental community, Air Resources Board, State Water Resources Control Board, and technical experts in the following areas: seismic, slope stability/soils, landfill cap design and repair, systems for monitoring and collecting landfill gases, leachate systems, erosion due to storms and flooding, and landfill fires. The proposed BMPs may not reflect the views or opinions of the TAG.



Background

The Department of Resources Recycling and Recovery (CalRecycle) has adopted regulations, Title 27 CCR Section 22221, requiring the owner or operator of a solid waste landfill to provide financial assurance for corrective action. The Office of Administrative Law approved the regulations on April 9, 2010 and become effective on July 1, 2010. The owner or operator is required to provide a cost estimate for initiating and completing corrective action for known or reasonably foreseeable releases to water and a cost estimate for the non-water release corrective action. The highest cost estimate, for water release corrective action or non-water release corrective action must be used to determine the amount of required financial assurance.

The cost estimate for the non-water release corrective action can be determined in several ways (Title 27 CCR Section 22101):

- Cost of removing the existing cover and installing the new cover; or
- Providing the greater of the most recently approved or recently submitted closure cost estimate adjusted for current costs and the entire landfill; or
- Costs for implementation of a site-specific non-water release corrective action plan.

Pursuant to Title 27, Sections 22100 and 22102, the non-water release correction action plan must contain the following:

(1) An evaluation of the known or reasonably foreseeable non-water release corrective action needed as a result of each known or reasonably foreseeable causal event;

"Corrective action" means an activity, including restoring the integrity or establishing the adequacy of a damaged or inadequate containment structure or environmental monitoring or control system, to: bring a landfill into compliance with the applicable requirements, prevent a reasonably foreseeable release, or remediate a known release to the environment. Corrective action does not include routine maintenance.

"Causal event" means an occurrence that could result in a non-water release corrective action. Causal events include, but are not limited to, earthquakes, flooding, tsunamis, seiche, fire, precipitation, and degradation of or otherwise inadequate containment structure or environmental monitoring or control system

(2) Cost estimates, prepared pursuant to section 22101(c)-(f), for all known or reasonably foreseeable corrective actions described in the plan. The cost estimate with the highest amount must be used to determine the amount of financial assurance required pursuant to section 22221(b) (2); and

(3) An evaluation of the long-term performance of the final cover system to ensure that it will continue to meet the requirements of section 21140 without the need for corrective action.

Available Information

The workshop agenda and the draft Proposed Best Management Practices for Site-Specific Non-water Release Corrective Action Plans (BMPs) will be available on September 24th at the CalRecycle website:

<http://www.calrecycle.ca.gov/LEA/Regs/Implement/Postclosure/default.htm> .